

LEGAL NOTICE OF REMOVAL
FROM MUNICIPAL COURT TO FEDERAL COURT
PURSUANT TO TITLE 28 § 1441- §1446
PROPER ARTICLE III JURISDICTION

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Abka Re Bey
3156 Cromwell Ave.
Memphis Tennessee, Territory
Tennessee State Republic
[Postal Zone 75]

SHELBY COUNTY COURT OF GENERAL SESSIONS

REALTY ACQUISITIONS

MARVIN FISHER

MARCUS NEAL HANNA

JUDGE LYNN COBB

CATHERINE CARTER

MICHEAL FISHER

BANK OF AMERICA

Respondent(s)

Case No. 1560508

Vs.

Abka Re Bey

Claimant /Alleged Accused

COMES NOW, Abka Re Bey ex-rel TABITHA RECBELLE GENTRY and Unas Sebkhet Re El ex -rel DARRIN FLEMING, In Propria Persona, Sui Juris (not to be confused with Pro se), Aboriginal Indigenous Moorish-American; possessing Free-hold by Inheritance status; standing squarely affirmed and bound to the Zodiac Constitution, with all due respect and honors given to the Constitution for the

of Moroccans and born in America, with the blood of the Ancient Moabites from the Land of Moab, who received permission from the Pharaohs of Egypt to settle and inhabit North-West Africa / North Gate. The Moors are the founders and are the true possessors of the present Moroccan Empire; with our Canaanite, Hittite and Amorite brethren, who sojourned from the land of Canaan, seeking new homes. Our dominion and inhabitation extended from Northeast and Southwest Africa, across the Great Atlantis, even unto the present North, South and Central America and the Adjoining Islands-bound squarely affirmed to THE TREATY OF PEACE AND FRIENDSHIP OF SEVENTEEN HUNDRED AND EIGHTY-SEVEN (1787) A.D. superseded by THE TREATY OF PEACE AND FRIENDSHIP OF EIGHTEEN HUNDRED and THIRTY-SIX (1836) A.D. between Morocco and the United States (<http://www.yale.edu/lawweb/avalon/diplomacy/barbary/barl866t.htm> or at **Bevines Law Book of Treaties**) the same as displayed under Treaty Law, Obligation, Authority as expressed in Article VI of the Constitution for the United States of America (Republic):

THE TREATY OF PEACE AND FRIENDSHIP OF 1836 A.D.

Between Morocco and the United States

Article 20

“If any of the Citizens of the United States, or any Persons under their Protection, shall have any disputes with each other, the Consul shall decide between the Parties, and whenever the Consul shall require any Aid or Assistance from our Government, to enforce his decisions, it shall be immediately granted to him.”

Article 21

“If any Citizen of the United States should kill or wound a Moor, or, on the contrary, if a Moor shall kill or wound a Citizen of the United States, the Law of the Country shall take place, and equal Justice shall be rendered, the Consul assisting at the Trial; and if any Delinquent shall make his escape, the Consul shall not be answerable for him in any manner whatever.”

Cause of Action

On November 5, 2011 Heiress became conscious of her National Heritage / Pedigree (MOOR ISH AMERICAN) and birthrights which are contrary to the fraudulent imposition imposed on her that she is BLACK, NEGRO, COLORED, AFRICAN AMERICAN a Property of the CORPORATE UNITED STATES OF AMERICA and its enclave THE STATE OF TENNESSEE. On December 15, 2011 a Writ in Nature of Discovery and Disclosure was sent via certified mail to Realty Acquisitions LLC and Bank of America, a foreign private corporation, ATTN: Marvin Fisher CEO to produce lawful evidence in support of their claim of ownership as it relates to the inheritance of Abka Re Bey ex-rel Tabitha Recbelle Gentry, Descendent/ Heiress to the Moorish Empire Northwest and Southwest Amexem and all conjoining islands within twenty days of receipt of the "Writ in Nature of Discovery and Disclosure". December 19, 2011, I received a call from Marvin Fisher stating I had been approved for the said property but it was quite evident that he had received the Writ in Nature of Discovery and Disclosure. On December 21, 2011 I got another telephone call from Micheal Fisher, stating that he had provided his lawyer which is Marcus Neal Hanna with the Lawful Documentations. As of January 13,th 2012 no lawful response has been received. Therefore, Default Judgment became effective.

1. **On January 6, 2012 After arriving at her current location, Abka Re Bey found a notice in the door notifying her that the alleged fraudulent foreign European colonist were demanding that she, her husband (Unas Sebkhet Re El and their (6) six children leave the land of her foremothers and forefathers alleging that she did not provide \$1,785. Federal reserve notes, unlawfully claimed as money in violation of article 1 Section X, to remain on her inheritance, land. In addition, as you well know how joint resolution 192 73rd Congress, first session June 5, 1933 Removed lawful money from circulation effectively placing the people in perpetual slavery in violation of Article 13 section 12 of the united State Republic Constitution Bill of Right. On March 19, 2012, A Reconveance Notice of Default election to sale under the Deed of Trust was mailed to Realty Acquisitions also request adjustments of this account and immediate closing of escrow. Immediate removal from the Tom Leatherwood Register of Deeds Shelby County Tennessee Records of Notice of Default and Election to Sell under Deed of Trust.**

2. **May 16, 2012 another letter was left, regarding an outstanding rental balance of \$4,250 from the Foreign Corporation Albinus Gaul, Realty Acquisition, demanding that it needs immediate attention to avoid possible eviction from the land of my forefathers and foremothers and to make arrangements. That day I Abka Re Bey called Realty Acquisition and spoke with Catherine Carter, I asked her produce to me the Deed of Trust for the said property above and she advised me that she didn't have to show proof of anything, she also quoted, "That there is Nothing that U CAN SAY TO ME THAT WOULD CHANGE MY MIND YOU ARE AS GOOD AS EVICTED", then she became irate and end with screaming and yelling then she hung up. IN THE SHELBY COUNTY COURTOF GENERAL SESSIONS: DETAINER WARRANT No # 1560508 On June 11th, 2012 was issued stating that TABITHARECBELLE GENTRY the Corporate Entity Misnomer Names in ALL CAPITAL LETTERS, To Command to Summon appear before the Shelby County Court of General Sessions. AS OF JUNE 13, 2012 I Abka Re Bey , CLAIMED THE SAID PROPERTY WITH AN AFFIDAVANT OF FACT DECLARATION ALLODIAL TITLE that was entered into the Records at the TOM LEATHERWOOD RECORD OF DEEDS # 12066013**

3. **On June 14, 2012 at 10:00 am, A Judgment for REALTY ACQUISITION LLC of DETAINER WARRANT No# 1560508 was issued for back rent and late fees owed. Plus additional accrued rental damage and attorney fees. I also spoke with the Plaintiff's Attorney Marcus Neal Hanna asking him for the Deed of Trust of my ancestors Ancient Moabites land stipulated by law or I will sue him for violation of my Constitutionally Secured rights to "Due Process of Law" which is a direct violation of his oath of office He told me, "To Take My Best SHOT.**

AFFIDAVIT OF FACT DECLARATION OF ALLODIAL TITLE

4. LOT 243, SECTION C, KENSINGTON GARDENS SUBDIVISION, AS SHOWN ON THE PLAT OF RECORD IN PLAT BOOK 20 PAGE 13 IN THE REGISTERS OFFICE OF SHELBY COUNTY TENNESSEE TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR SAID PROPERTY. PARCEL NO # 06021600034

The Agents of THE UNITED STATES OF AMERICA commanded that the Petitioner Pay Taxes called Rent, Fines and Costs Imposed under threat, duress, and coercion with a 'man-of-straw. That misnomer and CORPORATE -NAME, "MS TABITHA GENTRY" is clearly (an artificial – person / entity); is not me, the Natural Person; is a deliberate grammatical error, intended for injury to me; and is clearly not of consanguine relationship to me or to my nationality, in any form, truth, or manner; nor to my Moorish Family Bloodline. This is in violation of my secured rights to my name and nationality; a violation of National and International Law; and a violation of the Obligations of the Officers of the Court; and a violation of their fiduciary duties and Official Oaths to uphold and to support Article VI of the United States Constitution; and thus, violating my Substantive Rights, and the Articles of Part 1 of '*The Rights of Indigenous People*'

(<http://en.wikisource.org/wiki/Draft:>

United_Nations_Declaration_on_the_Rights_of_Indige...) as follows:

"Indigenous People have the right to a full and effective enjoyment of all human rights and fundamental And International Human Law." Article 5 of the *Rights of Indigenous People* "Every Indigenous individual has freedoms recognized in the Charter of the United Nations; The Universal Declaration of Human Rights; the Right to a Nationality.", Article 15 of the *Declaration of Human Rights*

(<http://www.un.org/Overview/rights.html>)

everyone has a right to a nationality. (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his name."

This Petitioner made a "Reservation of Rights" as stated in Judicial Proclamation and Name Correction and signed for the record; Name, correct spelling of name.

Defendants, European Foreign Colonist is with the 'want of jurisdiction' by knowingly and willingly conspiring (under a Color-of-Authority) to deny this Petitioner, Abka Re Bey , (after this Petitioner made a reservation of rights and stating for the record; name, correct spelling of name, and national status) her Inalienable Rights, the right to a Name and Nationality of her choosing, etc. The European Foreign Colonist alleged and assumed the Petitioner of being a Corporate Ward-ship 14th Amendment Notice of Removal, Artificial Negro Person / citizen, which resulted in an unlawful arrest-of-rights, immunities and liberties; which is in direct contradiction to, and a violation of, the Fourth (IV) Amendment of the Constitution for the United States (Republic); violating Article VI of the Constitution, by way of violating The Treaty of Peace and Friendship of EIGHTEEN HUNDRED-THIRTY-SIX (1836) A.D.;

Congressional Resolution # 75, Philadelphia Pennsylvania; a violation of Article 15 of 'The Universal Declaration of Human Rights' of Nineteen Hundred and Forty-Eight (1948) A.D. – General Assembly, United Nations; a violation of 'The Declaration of the Rights of The Child' of Nineteen Hundred-Fifty-Nine (1959) A.D

(<http://www.un.org/cyberschoolbus/humanrights/resources/child.asp>); and violating 'The Rights of Indigenous Peoples'; and that the European Foreign Colonist knowingly

committed 'fraud' against the Petitioner (Abka Re Bey) by abusing their authority, in that they failed to correct a known violation; and did not aid in preventing said such abuse of authority, while having (by law) the obligation to do so; and violated the Fifth Amendment of The Bill of Rights of Seventeen national law enumerated therein. that 42 USC 1986 requires the person(s) adjudicating legal processes, to correct wrongs, and that their failure to correct the wrongs that were addressed constitutes Fraud under Rule 9(b) of the FRCP, cross referenced to 28 USC 1746, and that this Fraud constitutes a Perjury on the Oath of Office at 18 USC 1621, deprives us of rights, at 18 USC 241, and 242, Conspires to deprives rights at 42 USC 1985; is an extortion of rights at 18 USC 872, and is actionable under 42 USC 1983.

59) Judicial officers have no immunity when they have no jurisdiction over subject matter.

60) This court shall take mandatory Judicial Notice of the adjudged decision of the Supreme Court of the United States of Bradley v Fisher 80 U.S. 335 (1871), 351,352 that officers of the court have no immunity when they have no jurisdiction over the subject-matter. And further in Bradley v Fisher on page 352 and 352 is as follows:

"Where there is clearly no jurisdiction over the subject matter any authority exercised is a usurped authority, and for the exercise of such authority, when the want of jurisdiction is known to the judge, no excuse is permissible." This evidence of Bradley v Fisher 80 U.S. 335 (1871).

61) Either subject-matter jurisdiction exists, or it doesn't. Subject-matter jurisdiction has been denied, it must be proved by the party claiming that the court has subject-matter jurisdiction as to all of the requisite elements of subject-matter jurisdiction

1 Notice of

JURISDICTION II

1.) This Court has original jurisdiction over Claimant's cause of action pursuant to Article III Section 2fortheUnited States Republic and the several states under the constitution; Article VI; and affirmed by obligatory oaths therefore, the civil action pending in the Shelby County Court of General Sessions is removable to his court.

2.) Denial of Discovery is a direct violation of claimant's secured rights to "DUE PROCESS OF LAW" Under the 5th amendment which is a direct violation of the Respondent's oath of office.

3.) True and correct copies of exhibits are attached.

CONCLUSION III

THE SHELBY COUNTY COURT OF GENERAL SESSIONS, MEMPHIS TENNESSEE is an unconstitutional, private corporation, not delegated by Congress, under Article III, Section 2 of the Constitution; and that the Officers does not, and did not provide 'Due Process' protected and secured for the People, by the Amendments IV, V, VI, VII, VIII, IX, and X of the United States Constitution, to which the Judges and Officers in every State is bound (by Official Oath) to support and to uphold. Any statutory regulation, ordinance, or laws of any State, to the contrary, notwithstanding.

This allegedly - accused Claimant believes that in accord with the Substantive Rights retained by the Claimant, notifying all parties of the Claimant's Moorish American (Identification / Status) and that the Claimant was not, is not, and does not, waive any Inalienable Rights to due process; and affirmed that any action be adjudicated in a lawfully delegated jurisdiction and venue.

STATE OF TENNESSEE commanded that the Claimant, get evicted from my foremothers and forefathers land Pay Costs of \$4,250 Imposed under **threat, duress, and coercion** with a 'man-of-straw' / misnomer word, misrepresented as implying my name, and typed upon the Order / Instrument, and was improperly spelled, "TABITHA RECBELLE GENTRY" in ALL CAPITAL LETTERS. That misnomer and CORPORATE - NAME, "TABITHA RECBELLE GENTRY" is clearly (an artificial - person / entity); is not me, the Natural Person; is a deliberate grammatical error, intended for injury to me; and is clearly not of consanguine relationship to me or to my nationality, in any form, truth, or manner; nor to my Moorish Family Bloodline. This is a in violation of my secured rights to my name and nationality; a violation of International Law; and a violation of the Obligations of the Officers of the Court; and a violation of their fiduciary duties and Official Oaths to uphold and to support Article VI of the United States Constitution; and thus, violating my Substantive Rights, and the Articles of Part 1 of 'The Rights of Indigenous People' (http://en.wikisource.org/wiki/Draft:United_Nations_Declaration_on_the_Rights_of_Indige...) as follows:

"Indigenous People have the right to a full and effective enjoyment of all human rights and fundamental freedoms recognized in the Charter of the United Nations; The Universal Declaration of Human Rights; And International Human Law."

Article 5 of the Rights of Indigenous People

"Every Indigenous individual has the Right to a Nationality."

Article 15 of the Declaration of Human Rights (<http://www.un.org/Overview/rights.html>)

everyone has a right to a nationality. (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his name

RELIEF V

1. **The Enforcement of the following:** The Divine Constitution and By-Laws of the Moorish Science Temple of America; The Moorish Nation of North America; Act VI: By Being Moorish American, you are Part and Parcel of this said government and Must Live the Life Accordingly;

Article VI of the United States Constitution Republic / The Treaty of Peace and Friendship of EIGHTEEN HUNDRED and THIRTY-SIX (1836) A.D., Classifies Moorish Americans as Federal Citizens Possessing Freehold by Inheritance Status-Truth A-1. See Article 3, Section 2 of 'The Constitution for the United States of America'.

- 1) I, Abka Re Bey, demand Due Process as protected by the Fourth (4th) and Fifth (5th) Amendments of the Constitution for the United States of America (Republic).
- 2) I, Abka Rey Bey, demand this United States Supreme Court stop these abuses of the colorable authority by the Plaintiff as it pertain to this Petitioner.
- 3) I, Abka Re Bey any criminal charges be found, let them be placed upon the Plaintiffs.
- 4) I, Abka Re Bey is United States Supreme Court view this Petitioner (in my Proper Person) as a Moorish American National (Natural Born Citizen of the Land) and not as a (brand) NEGRO, BLACKWOMAN (person), COLORED, AFRICAN-AMERICAN, or any other SLAVE TITLE or 'nom de guerre' imposed upon me for misrepresentation 'Actions' or other acts of 'Misprision' that a misdirected society may "believe" to be true.
- 5) I, Abka Re Bey do not, under any condition or circumstance, by threat, duress, or coercion, waive any rights Inalienable or Secured by the Constitution or Treaty, and, hereby requests the United States Supreme Court to fulfill their obligation to preserve the rights of this Petitioner (A Moorish Americans) and carry out their Judicial Duty in 'Good Faith' by ordering Plaintiff to be brought before the Law to answer for their criminal and unjust actions.
- 6) All UNCONSTITUTIONAL Citations – Summons / Ticket – Suit / (misrepresented) Bill of Exchange: Number 1560508, and any other 'Order' or 'Action' associated with it / them, to be dismissed and expunged for the record on it's face and merits; or, otherwise, be brought before a legitimately - delegated, and competent 'Court of Law' of International jurisdiction / venue.
- 7) All City, County and State Officials are to be informed of the Law of the Land (Constitution) and their obligation to uphold the same and to no longer be excused without action on the part of the Sheriff for violating the same. And to be made cognizance of the recompense of colorable actions on their part, by not adhering to the Law.
- 8) Any Plaintiff, Corporate or Natural, Party-Claimants; Involvements be found guilty of the charges and shall result in immediate Recusal of Office.

- 9) **THE SHELBY COUNTY COURTS OF GENERAL SESSIONS, STATE OF TENNESSEE** is being sued for \$75,000 for compensatory damages and \$75,000 for punitive damages in its official capacity.
- 10) **JUDGE LYNN COBB, STATE OF TENNESSEE** is being sued for \$75,000 for compensatory damages and \$75,000 for punitive damages in its official capacity.
- 11) **REALTY ACQUISITIONS, STATE OF TENNESSEE** is being sued for \$75,000 for compensatory damages and \$75,000 for punitive damages in his private capacity.
- 12) **MARVIN FISHER, STATE OF TENNESSEE** is being sued for \$75,000 for compensatory damages and \$75,000 for punitive damages in his private capacity.
- 13) **MARCUS NEAL HANNA, STATE OF TENNESSEE** is being sued for \$75,000 for compensatory damages and \$75,000 for punitive damages in his private capacity.
- 14) **CATHERINE CARTER, STATE OF TENNESSEE** is being sued for \$75,000 for compensatory damages and \$75,000 for punitive damages in his private capacity.
- 15) **BANK OF AMERICA, STATE OF TENNESSEE** is being sued for \$75,000 for compensatory damages and \$75,000 for punitive damages in his private capacity.
- 16) **MICHEAL FISHER, STATE OF TENNESSEE** is being sued for \$75,000 for compensatory damages and \$75,000 for punitive damages in his private capacity.

TRIAL BY JURY OF MY OWN PEERS WAS, AND IS, DEMANDED

I declare under the penalty of perjury under the law of the UNITED STATES CODES that the above is true and correct to the best of my knowledge and honorable intent.

Day 17, June , 2012 = 1429 M.C.

I Am: Abba Re Bey ex-rel Lakisha R. Dwyer

Authorized Representative Natural Person, In Propria Persona: All Rights Reserved; U.C.C. 1-207 / 308; U.C.C. 1-103

State of Tennessee County of Shelby
Seison and subscribed before me this 18th day of June
Came personally known to me Abba Re Bey ex-rel Lakisha R. Dwyer
My Commission expires January 19, 2014

Wmss Lakisha R. Dwyer

